



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

June 21, 1994

Mr. Willar Hightower, Jr.
Aiken County Council
736 Richland Avenue, West
Aiken, SC 29801

Re: Quemetco, Inc. (CAD 066 233 966)

Dear Mr. Hightower:

Pursuant to your May 19, 1994 letter, EPA is pleased to respond to your questions about RSR's Quemetco facility in California. For clarity, I have repeated the original questions prior to each EPA response. These responses are based on EPA's limited first-hand experience in the RCRA corrective action program at the Quemetco facility as required by our January 6, 1988 Consent Decree:

1. Do you feel and/or do you have any data that suggests that Quemetco, Inc. has been a responsible corporate operative as it relates to your area of responsibility?

Response: Currently, RSR is in full compliance with the Consent Decree and is working cooperatively with EPA toward the ultimate goal of site cleanup. Specific projects underway at this time include contaminated soil removal at the former "Raw Materials Storage Area", finalization of the "Phase 2 Groundwater Monitoring Plan", ground water monitoring and air monitoring. RSR has taken additional steps on their own to reduce the facility's potential environmental impacts such as constructing the Containment Building (which exceeds regulatory construction standards) and by installing a new furnace to reduce the lead content of the waste slags. Based on our experience, EPA believes that Quemetco is willing to comply with applicable laws, regulations, and other requirements.

2. Are you aware of or have data to support, any environmental contamination by Quemetco, Inc. involving lead, antimony, arsenic, copper, or nickel in the ground, air, vegetation or animal (including man) life?

Response: Data has been collected from all media at the Quemetco facility for the purpose of delineating the extent of contamination. To date, the only media in which contaminant releases have been clearly documented are air and soil. Fenceline air monitoring data (enclosed) showed that lead concentrations in air exceeded the National Ambient Air Quality Standard (NAAQS) of 1.5 micrograms/cubic meter for brief periods in the spring of each of the last three years. However, since RSR moved the majority of its operations inside the new Containment Building in mid-1992, airborne lead concentrations have been greatly reduced. Surface soils at some areas of the Quemetco facility have been contaminated with lead (sometimes in association with arsenic) above Region 9 Preliminary Remediation Goals (PRGs). See the attached soil and ground water sampling summary for details.

Surface water and ground water sampling conducted to date has not conclusively documented contamination in these media. Apparent elevated levels of metals were measured in ground water

samples in the period 1982-1987. However, these results were based on antiquated sampling procedures and such concentrations have not been verified as sampling procedures have been updated over the past several years. An epidemiological study conducted last year by the Los Angeles County Health Department did not find any human health impacts in the community surrounding the Quemetco site.

3. Are you aware of or have data to support that Quemetco, Inc. does or does not monitor ground water and/or surface water?

Response: RSR currently conducts ground water monitoring on a quarterly basis in accordance with RCRA requirements. Ground water and surface water monitoring were both conducted in the period 1982-1987. Surface water monitoring was discontinued after the permitted discharge of treated effluent to San Jose Creek was discontinued in favor of discharge to the municipal sewer system. Ground water continues to be monitored as part of RCRA closure activities and the RCRA corrective action program. To date, there has been no conclusive evidence to indicate that either ground water or surface water has been contaminated by operations at the Quemetco facility.

4. Does Quemetco, Inc. conduct adequate training of personnel in the handling of hazardous waste?

Response: EPA has no first-hand involvement with RSR's employee training program.

5. Do you have data to support that Quemetco, Inc. does or does not monitor the air, sewer discharge, vegetation and soil for contamination with lead, antimony, arsenic, copper or nickel?

Response: See response to No. 2, above. EPA is not involved with monitoring of Quemetco's municipal sewer discharge, since that program is administered by the Los Angeles County Sanitary District. We suggest that you contact the Sanitary District for further information about Quemetco's municipal sewer discharge.

6. Have any Quemetco, Inc. employees been found to be in violation of any law, regulation, standard and/or ordinance as to protective clothing, safety, or OSHA violations?

Response: EPA has no knowledge of any such violations. We suggest that you contact the California Occupational Safety and Health Administration (Cal OSHA) on this issue.

7. Do you know of or have information that suggest Quemetco, Inc. has or has not maintained any report, plan or procedure in accordance with applicable law?

Response: In the above mentioned Consent Decree, EPA alleged that RSR illegally continued to use the former surface impoundment after November 5, 1985, the regulatory deadline by which such surface impoundments at interim status facilities were required to be closed. RSR disputed this allegation, but the dispute was settled via the Consent Decree. Use of the impoundment ceased before the end of 1985.

During the fourth quarter of 1991, RSR did not submit a quarterly ground water monitoring report. EPA alleged that this constituted a violation of the Consent Decree, but RSR disputed this allegation. This dispute was settled in August 1993, when RSR agreed to pay a penalty equal to the

economic benefit of noncompliance, to accelerate the schedule of the RCRA corrective action program and to undertake remediation of lead-contaminated surface soils at the former "Raw Materials Storage Area" ahead of schedule.

These are the only potential violations for which EPA has first-hand knowledge. As stated in the response to your question No. 1, RSR is currently in compliance with EPA's Consent Decree. For further information regarding RSR's RCRA compliance history, please contact Mr. Roy Yeaman at the California Department of Toxic Substances Control, Surveillance & Enforcement Branch (818/551-2961).

8. Please advise if Quemetco, Inc. were to reapply for a permit in your area of responsibility, would you recommend approval after having operating experience with them?

Response: Since the State of California is authorized to administer the RCRA program, USEPA is no longer in a position to propose decisions regarding RCRA permit issuance or denial. From an environmental and resource conservation standpoint, RSR's Quemetco facility fulfills a vital niche in the marketplace, since recycling of used batteries is heavily favored over disposal in landfills. However, any RCRA permit application must be carefully reviewed and evaluated prior to proposing a decision on whether to issue a permit.

9. Are there any requirements that were not originally thought of that you would recommend Aiken require? Any environmental monitoring?

Response: EPA would recommend that, due to the nature of the battery recycling business, all operations which may release contamination be located within a state-of-the-art containment building and environmental monitoring be conducted as appropriate. Air monitoring should be conducted to ensure that the containment building's air pollution control systems are functioning properly and to ensure the quality of the air for the surrounding community. Ground water monitoring may not be necessary unless ground water is particularly shallow or there is specific concern that a release may have occurred.

10. Can you think of any requirement that would be wise for Aiken to include in a contract with Quemetco, Inc.?

Response: See response to No. 9, above.

Thank you for your interest in RSR's Quemetco facility in California. I hope these responses provide the information you require. If you have any further questions, please contact me at (415) 744-2039.

Sincerely,



Frank Gardner
RCRA Corrective Action Section

Enclosures